101-539

Public Law 101-539
101st Congress

An Act

To direct the Secretary of Agriculture to release on behalf of the United States a condition in a deed conveying certain lands to the Conservation Commission of West Virginia, and for other purposes.

Nov. 8, 1990
[H.R. 5433]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Forests and forest products.
Public lands.
National parks.

SECTION 1. RELEASE OF CONDITION.

(a) RELEASE.—Notwithstanding section 32(c) of the Bankhead-Jones Farm Tenant Act (7 U.S.C. 1011(c)), the Secretary of Agriculture is authorized and directed to release the condition that the lands to be exchanged by the State of West Virginia, as specified in subsection (b), be used for public purposes if the State agrees to attach the same condition to other State lands specified in subsection (c).

(b) LANDS DESCRIBED; RELEASE OF CONDITION.—The Secretary shall release the condition referred to in subsection (a) only with respect to that portion of the lands conveyed by the deed dated April 22, 1954, to the Conservation Commission of West Virginia (recorded in Webster County, West Virginia Deed Book 118, page 4) that is to be exchanged by the State of West Virginia for lands from the Sun Lumber Company for addition to Holy River State Park. The lands to be conveyed by the State are more particularly described in documents on file with the Chief of the Forest Service entitled "Description of 410.0± Acre Tract Being a Part of Tract Number 218"; "Description of 16.0± Acres"; and "Description of 208.4± Acres".

(c) ATTACHMENT OF CONDITION.—The State land to which the condition is to be attached under subsection (a) is the tract of land in Webster County, West Virginia more particularly described in documents on file with the Chief of the Forest Service entitled "Description of 18.7± Acres"; "Description of 43.2± Acres"; "Description of 133.3± Acres"; and "Description of 401.4± Acres".

SEC. 2. VENTANA LAND EXCHANGE.

Wilderness areas.
16 USC 1132 note.

(a) MAP.—The map entitled "New Los Padres Reservoir Expansion Project—Forest and Wilderness Boundary Adjustment—Los Padres National Forest" dated September 1989 (hereafter in this section referred to as the "map") shall describe the lands for which exchanges and other actions are authorized by this section. The map shall be on file and available for public inspection in the office of the Chief, Forest Service, Washington, District of Columbia.

(b) BOUNDARIES.—Upon completion of the exchange, the boundaries of the Ventana Wilderness and Los Padres National Forest are hereby modified as necessary to accommodate the land exchange authorized by this section.

California.
Water supply.

(c) GENERAL AUTHORITY.—Subject to valid existing rights, the Secretary of Agriculture is authorized and directed to offer for exchange to the California-American Water Company the lands

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comprising Parcel A and to receive, in exchange for Parcel A, all right, title and interest in Parcel B, as generally depicted on the map. The title to Parcel B shall be in the California-American Water Company and the title conveyed in the exchange shall be by general warranty deed and shall be otherwise acceptable to the Secretary of Agriculture. Such exchange is deemed to be an equal value exchange. Nothing in this section shall preclude the Secretary from exchanging Parcel A to the California-American Water Company in exchange for other lands utilizing existing exchange authorities in the event that the California-American Water Company does not acquire title to Parcel B.

(d) MANAGEMENT.—Upon acquisition by the United States, Parcel B shall be thereafter managed as National Forest Wilderness and shall be withdrawn from all forms of location and entry under the mining and mineral leasing laws and from the geothermal leasing laws.

Approved November 8, 1990.

LEGISLATIVE HISTORY—H.R. 5433:

CONGRESSIONAL RECORD, Vol. 136 (1990):
Oct. 10, considered and passed House.
Oct. 24, considered and passed Senate.

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